

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 1393 - SB 1501**

April 4, 2019

**SUMMARY OF BILL:** Authorizes a local education agency (LEA) to administer the ACT or ACT Aspire suites of assessments in lieu of the state-mandated assessments required as part of the Tennessee Comprehensive Assessment Program (TCAP) for students in grades 9-12. Requires students in grades 9-12 to also take the examination required at grade 11 pursuant to Tenn. Code Ann. § 49-6-6001. Requires an LEA to notify the Department of Education (DOE) that the LEA intends to use an approved testing alternative before the LEA is permitted to use the approved testing alternative. Requires an LEA to notify the parents and guardians of students in grades 9-12 that the LEA is using an approved testing alternative and the LEA must provide the parents and guardians with a copy of the notice sent to DOE.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures – \$66,700**

**Other Fiscal Impact – Recurring federal funds for K-12 education may be jeopardized as a result of this legislation. The precise amount, if any, cannot be reasonably determined.**

**Assumptions:**

- Students that are juniors in high school currently receive a voucher from the state to take the ACT as the required 11th grade assessment pursuant to Tenn. Code Ann. § 49-6-6001(b). As such, the cost estimate for this legislation is based on the use of the ACT Aspire suite of standardized tests.
- The state will not be required to purchase additional standardized tests.
- According to DOE, the combined variable cost associated with administering any TCAP, TNReady, or End of Course (EOC) test is approximately \$1.79 per student.
- The minimum cost associated with purchasing the online ACT Aspire test is approximately \$20 per student.
- Given the cost difference between the two, it would be cost prohibitive for an LEA to elect to administer the ACT Aspire test in lieu of administering TCAP, TNReady, and EOC tests. As a result, it is estimated that few, if any, would elect to do so. For the purposes of this fiscal note, it is assumed that LEAs will make the most cost effective

- decision. Therefore, any permissive change in local expenditures is estimated to be not significant.
- DOE will still be required to prepare for the event an LEA chooses to opt into utilizing the ACT Aspire tests. This preparation would include performing certain activities at the state level to help administer two different suites of standardized tests each year. These duties include, but are not limited to, helping to prepare a test platform, setting testing windows, preparing for two annual regional meetings with LEAs that will use the ACT Aspire suite of tests each year, and communicating with the ACT Aspire test manufacturer. Given this, DOE will require one additional employee; regardless of how many LEAs opt into using the ACT Aspire suite of tests and/or the SAT/PSAT.
- The recurring increase in state expenditures for one Education Consultant 2 at a minimum salary point is estimated to be \$66,662 [(\$51,540 salary + \$15,122 benefits)].
- Title 1 part A of the Every Student Succeeds Act (ESSA) requires measurement of state standards.
- The ACT Aspire suite is not aligned with state standards; and would therefore be out of compliance with federal ESSA requirements, resulting in a possible loss of federal funding at the discretion of the U.S. Department of Education (USDOE).
- The amount of federal funding that could be in jeopardy is unknown and would be dependent upon action of USDOE; however, the FY19-20 Governor's recommended budget document, on page B-77, identified \$1,129,269,800 in federal funds to K-12 schools, all or any portion thereof, could be jeopardized if Tennessee becomes non-compliant with the ESSA assessment requirements.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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